

LAURA A. RINGENBACH
513.357.9362
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January 13, 2009

Mr. Jose G. Cisneros
Chief, Remediation and Reuse Branch
US EPA Region 5, LU-9J
77 West Jackson Boulevard
Chicago, IL 60604-3590

Re: Pristine, Inc. CERCLA Consent Decree Site
GE Aircraft RCRA Site

Dear Mr. Cisneros:

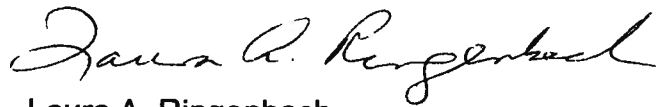
Thank you for your letter stamped November 14, 2008, in which you mention that you expect GE to submit its draft IRM Workplan to Mr. Patulski this month. We respectfully request that a copy of the draft IRM Workplan be provided to the Trust promptly upon the Agency's receipt so that the Trust will have an opportunity to review and provide comments to you on the draft Workplan.

Your letter states that GE is developing a final IRM that will, among other things, address the Trust's concerns, and we are eager to see in the forthcoming draft IRM Workplan exactly how that will be done. As you know, the Trust's primary concern is the threat posed by the plume migrating from GE's facility toward the Trust's CERCLA groundwater extraction system – a threat that has once again caused the Trust to reconfigure its groundwater extraction system. Details are provided in the Trust's most recent Force Majeure letter (copy attached). The Trust's groundwater extraction system is one of the closest possible down-gradient receptors to GE's off-site groundwater contamination, and the Trust has a sincere interest in understanding how GE plans to manage this plume, in particular in the areas to the east and southeast of GE's facility.

Mr. Jose G. Cisneros
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We appreciate your continuing attention to this important matter.

Sincerely,

A handwritten signature in cursive script, reading "Laura A. Ringenbach".

Laura A. Ringenbach

LAR:krw

cc: The Pristine Trustees
Julian Hayward, CRA
Henry Cooke, CRA
Ronald Murawski, US EPA
James Morris, US EPA
Scott Glum, Ohio EPA



**CONESTOGA-ROVERS
& ASSOCIATES**

651 Colby Drive, Waterloo, Ontario, Canada N2V 1C2
Telephone: 519-884-0510 Facsimile: 519-884-0525
www.CRAworld.com

November 5, 2008

Reference No. 003250

Mr. Ron Murawski
United States Environmental Protection Agency
Region V – Mail Code SR-6J
77 West Jackson Boulevard
Chicago, Illinois
U.S.A. 60604-3590

VIA FED EX AND E-MAIL

Dear Mr. Murawski:

Re: US v. American Greetings Consent Decree
Force Majeure Notification No. 3
Offsite VOC Plume
Pristine, Inc. Site, Reading, Ohio

Pursuant to Section XIII.B. of the Consent Decree, we are hereby providing written notice of a Force Majeure event, based on new sampling data. This written notice follows the verbal Force Majeure notification provided to you by Mr. Henry Cooke in a telephone conversation on Tuesday, October 28, 2008.

In the two prior Force Majeure notifications (see Attachment 1), we alerted you to the Trust's concerns about off-site lower aquifer groundwater plumes threatening to interfere with the Pristine groundwater remediation. The two non-Pristine related off-site plumes identified are a southwest TCE plume, and a western/northwestern VOC plume appearing to originate from the vicinity of the GE facility. It is the latter that is the subject of this Force Majeure notice.

In reviewing Round 26 data, which is still undergoing validation, we observed potentially problematic increases in concentrations of certain VOCs associated with biodegraded chlorinated solvents at MW-87 and MW-88. These wells are located in the area between the western/northwestern VOC plume and extraction well EW-3. We also see elevated concentrations of the same type of VOCs at MW-92, located in the western/northwestern VOC plume area (see Attachment 2, Figure 1 for well locations).

We are undertaking the following actions. We will resample the above-referenced locations as part of the Round 27 monitoring event to confirm the data. Following the re-sampling, we will implement a temporary reconfiguration of the groundwater extraction system. Specifically, we will shut off EW-3 (presently pumping at approximately 30 gpm average) and increase the average extraction rate at EW-5 from approximately 60 gpm to 90 gpm. We will monitor the new configuration and conduct a more detailed evaluation based on future sampling results to determine the appropriate ongoing extraction configuration.

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November 5, 2008

Reference No. 003250

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The Pristine Trust continues to maintain that it has no responsibility to respond to offsite VOC plumes.

CRA, on behalf of the Pristine Trust, will keep you updated on these developments. Should you have any questions or wish to discuss this matter further, please contact our office.

Yours truly,

CONESTOGA-ROVERS & ASSOCIATES

Julian Hayward

JH/ev/30

Encl.

c.c.: James Morris, Esq. (US EPA)
Scott Glum (Ohio EPA)
Rob Darner (USGS)
Martha Farr (Trustee)
Robert Fremont (Trustee)
David Ross (Trustee)
Laura Ringenbach, Esq. (TS&H)
Henry Cooke (CRA)

Assistant Attorney General
Land and Natural Resources Division
U.S. Department of Justice
10th & Pennsylvania Ave, N.W.
Washington, D.C. 20530

ATTACHMENT 1
FORCE MAJEURE NOTIFICATIONS



**CONESTOGA-ROVERS
& ASSOCIATES**

651 Colby Drive, Waterloo, Ontario, Canada N2V 1C2
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March 16, 2005

Reference No. 3250

Mr. Ron Murawski
United States Environmental Protection Agency
Region V - Mail Code SR-6J
77 West Jackson Boulevard
Chicago, Illinois
U.S.A. 60604-3590

VIA FED EX AND E-MAIL

Dear Mr. Murawski:

Re: U.S. v. American Greetings Consent Decree
Force Majeure Notification
Offsite Identified VOC Plume
Pristine, Inc. Site
Reading, Ohio

Pursuant to Section XIII.B of the Consent Decree we are hereby providing notice of a Force Majeure event, in the form of a noncontiguous, offsite groundwater plume to the west of the Pristine Site (VOC plume). This notification, based on newly discovered information, supplements and is in addition to the previous notification regarding the "TCE plume" and the "DCE plume", as discussed in our letter dated April 2, 2002 (copy attached).

On January 28, 2005, Conestoga-Rovers & Associates (CRA) was provided analytical results for groundwater samples collected in May and July 2004, by O'Brien & Gere, on behalf of General Electric (GE). Subsequently, on March 2, 2005, the Pristine Trustees and Conestoga-Rovers & Associates (CRA) met with GE to discuss the new data. The results indicate the presence of elevated concentrations of volatile organic compounds (VOCs) at various locations. Notably, offsite monitoring well OS-MW-1S and OS-MW-1D, located near the southeast boundary of the GE site, and to the west of the Pristine plume area, contained concentrations of 1,1-dichloroethane, cis-1,2-dichloroethene, and vinyl chloride at concentrations significantly above the respective U.S. EPA maximum contaminant level (MCL). Trichloroethene was also detected above the MCL at OS-MW-1S. Moreover, it is noted that the concentrations of 1,1-dichloroethane and cis-1,2-dichloroethene increased substantially in samples collected in July 2004, relative to samples collected 2 months earlier, in May 2004.

Under current pumping conditions, and based on groundwater level data collected in May 2004, lower aquifer groundwater at the OS-MW-1 location lies within the area influenced by the Pristine extraction system. Therefore, it is expected that the VOC-impacted lower aquifer groundwater at the OS-MW-1 location will ultimately be drawn into the Pristine plume area and subsequently into the Pristine extraction system, if unabated. This will have an, as yet, undefined negative impact on the Pristine groundwater remediation. This concern was

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& ASSOCIATES**

March 16, 2005

Reference No. 3250

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identified to you during a telephone conversation between yourself and Henry Cooke of CRA on March 2, 2005. It was also re-iterated during a telephone discussion with you, Dan Patulski and the undersigned on March 10, 2005.

As stated in the April 2, 2002, Force Majeure notification, the Pristine Trust, at the request of the U.S. EPA, reduced the pumping rate of extraction wells EW3, EW4, and EW5 in March 2002, in order to attempt to avoid drawing the DCE and TCE plumes toward the Pristine pumping system. Further reductions are not feasible under the current system design. The reduction in pumping rates has already had the effect of potentially extending the operation and maintenance period of the Pristine treatment systems to achieve the groundwater performance goals.

Also, consistent with the April 2, 2002 Force Majeure notification, the most effective solution to this problem would be for the appropriate federal agencies to immediately take action to contain and remediate the VOC plume that is threatening the Superfund cleanup. Any delays in addressing the VOC contamination will have potentially serious consequences for the remediation of the Pristine site pursuant to the requirements of the Consent Decree.

Please consider the offsite VOC plume as a Force Majeure event under the Consent Decree. The Pristine Trust has no responsibility under the Consent Decree for responding to the offsite VOC plume.

Should you have any questions, please do not hesitate to contact our office.

Yours truly,

CONESTOGA-ROVERS & ASSOCIATES

Julian Hayward

JH/ev/6

c.c.: James Morris (U.S. EPA)
Scott Glum (Ohio EPA)
Bob Fremont (Pristine Trust)
Martha Farr (Pristine Trust)
Dave Ross (Pristine Trust)
Laura Ringenbach (Taft, Stettinius & Hollister)
Henry Cooke (CRA)



**CONESTOGA-ROVERS
& ASSOCIATES**

9033 Meridian Way, West Chester, Ohio 45069
Telephone: 513-942-4750 Facsimile: 513-942-8585
www.CRAworld.com

April 2, 2002

Reference No. 3250

Mr. Richard Boice
U.S. Environmental Protection Agency
Region V
Mail Code SR-6J
77 West Jackson Boulevard
Chicago, Illinois 60604

Dear Mr. Boice:

Re: Force Majeure Notification
Offsite Identified TCE and DCE Plumes
Pristine, Inc. Site; Reading, Ohio

Pursuant to Section XIII.B of the Consent Decree we are hereby providing notice of two distinct Force Majeure events, in the form of noncontiguous, off-site groundwater plumes to the southwest ("TCE plume") and west ("DCE plume") of the Pristine Site.

At the February 28, 2002, Pristine progress meeting, the United States Environmental Protection Agency (U.S.EPA) informed the Pristine Facility Trust (Trust) that it believes that the Pristine groundwater extraction is drawing 1,2-Dichloroethene (DCE) contamination from the area to the west of the Pristine site, towards the extraction well system zone of influence. Concentrations of DCE measured in samples from monitoring well MW93 have increased from non-detected levels, to a concentration of approximately 34 µg/L in the last sampling round (Round #15). During previous meetings, the U.S. EPA had discussed the presence of a Trichloroethene (TCE) plume located to the west of monitoring wells MW104/105. Similar to the DCE, the U.S. EPA has expressed concern that the Pristine extraction well system is drawing the TCE into the Pristine extraction well zone of influence.

At the request of the U.S.EPA, the Trust has taken steps to reduce the amount of water being pumped, in order to attempt to avoid drawing the DCE and TCE plumes towards the Pristine pumping systems. The pumping rate of extraction well EW3 (150 gpm system) has been reduced by 25 gpm. The pumping rate of extraction wells EW4 and EW5 (300 gpm system) have also both been reduced by 25 gpm each. The adjusted pumping rates of 125 gpm and 250 gpm were chosen as reduced rates that were within the lower operating range of both groundwater treatment systems. The adequacy of this measure in terms of limiting the possible migration of the DCE and TCE contamination towards the Pristine system can only be determined by ongoing monitoring.

April 2, 2002

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Reference No. 3250

Although the groundwater treatment systems can remove the DCE and TCE at the concentrations recorded at monitoring wells MW93, MW 104, and MW105, the capacity of the systems may be exceeded if the concentrations of DCE, TCE or any other chemicals from off-site sources continue to increase. In addition, the reduction in the pumping rates of the extraction systems has the immediate effect of extending the operating and maintenance period of the Pristine treatment systems to achieve the groundwater performance goals.

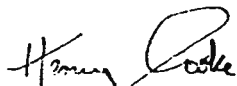
U.S. EPA, Ohio EPA and we are in agreement that the Pristine facility is not the source of either the noncontiguous TCE plume to the southwest nor the noncontiguous DCE plume to the west. The most effective solution to this problem would be to identify the source(s) of the DCE and TCE contamination, and take measures to delineate the associated plumes and implement immediate containment and appropriate remediation. Although, the Pristine Trust has no responsibility to undertake any of this work, it notes that delays in addressing these two off-site plumes immediately will have potentially serious consequences for the remediation of the Pristine site.

Please consider the two distinct off-site plumes as two Force Majeure events under the Consent Decree.

Should you have any questions, please do not hesitate to contact our office.

Yours truly,

CONESTOGA-ROVERS & ASSOCIATES



Henry Cooke

HC/jd/84
Encl.

c.c.: Scott Glum (Ohio EPA)
Gloria McKinley (Pristine Trust)
Martha Farr (Pristine Trust)
Bob Fremont (Pristine Trust)
Julian Hayward (CRA)
Laura Ringenbach (Taft, Stettinius & Hollister)

ATTACHMENT 2

FIGURE 1

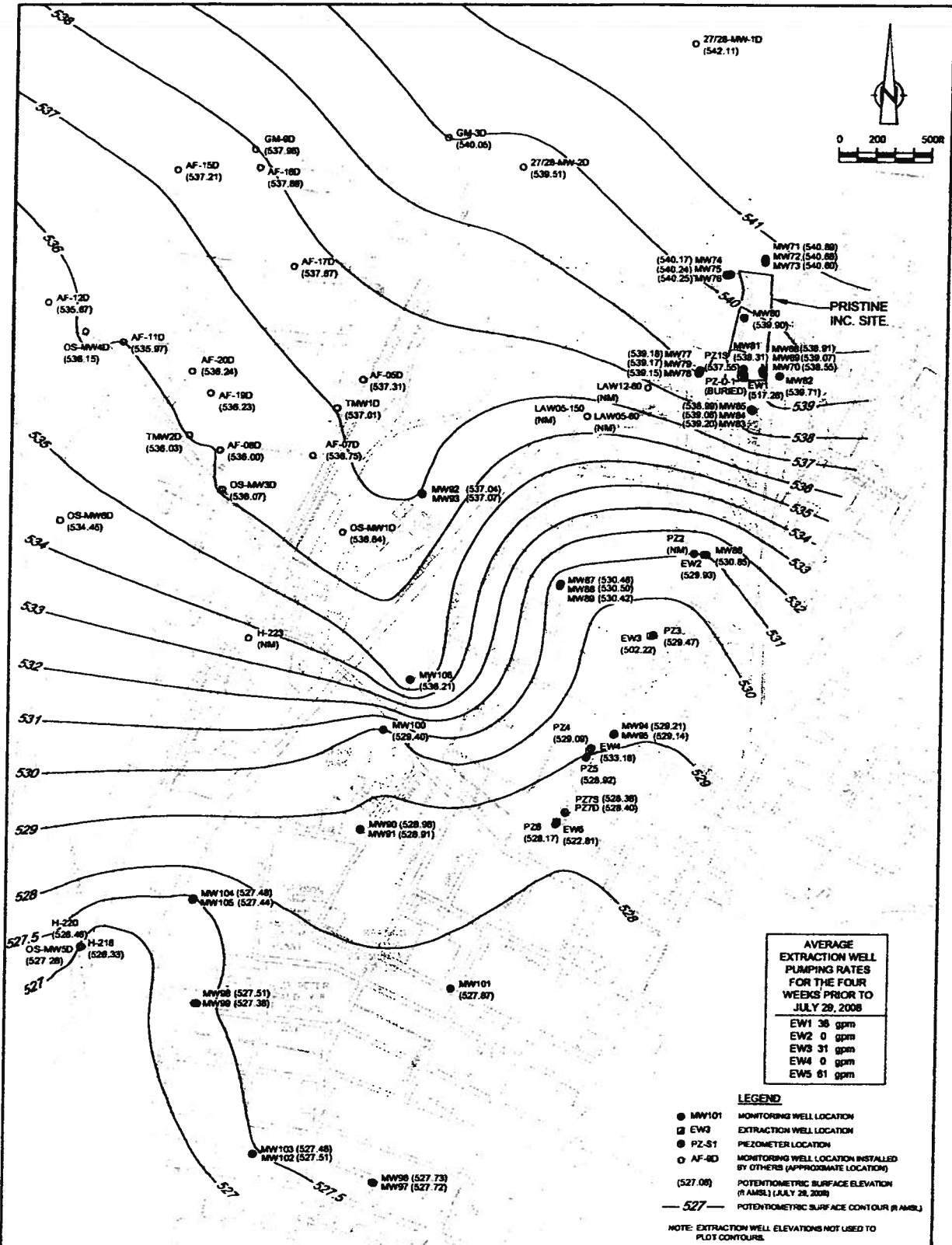


figure 1
 POTENTIOMETRIC SURFACE CONTOUR MAP - LOWER AQUIFER
 JULY 29, 2008
 Pristine, Inc. Site



BASE SOURCE: CAOS, 2007.